REMARKS

A request for a one-month extension of time is submitted herewith.

Claims 2-15, 17-21 remain in this application. Applicant respectfully requests reexamination.

The cross-reference to the related application section of the disclosure was objected to because certain information was not supplied in that section. The specification has been amended, not only to fill in the blanks in the specification, to supply the identification of related applications, but also to correct grammatical and typographical errors and to include reference numbers to additionally designated elements on certain of the figures of the application, all for the purpose of making the specification easier to read.

Applicant submits herewith a clean amended copy of the specification as a courtesy.

In conjunction with the amendment to the specification, Applicant submits herewith a letter to the chief draftsperson with changes to Figures 2, 3A to 3E, and 5A, 5B for approval.

Applicant respectfully requests that the objection to the specification be withdrawn and that the requested additional identifying information on the figures be approved.

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Published Application 2002/0070875 (*Crumb*). Applicant respectfully traverses.

The published *Crumb* application is directed to a pulse position modulated radio wave remote control system that includes a remote-control unit and a master-control unit, each having an associate transceiver so that information in the form of radio signals can be exchanged bidirectionallly between the two units. The master-control unit controls operating functions of a pool or spa on command from the remote control unit. The master-control unit also monitors

operating conditions of the pool or spa and sends information about those conditions to the remote control unit on command from the remote control unit.

As can be seen in Figures 4A and 4B of *Crumb*, the remote control unit is a hand-held device that has dedicated control buttons, as well as a display 26. The dedicated control buttons illustrated in Figures 4A and 4B, for example, are down button 132, up button 130, heat command button 136, light command button 140, status switch 134, and jet switch 138.

As explained in the *Crumb* specification, the operation of the master-control unit 14 and the processor 36 therein is to control all the master-control functions in a preferred embodiment (Paragraph 0039). In other words, these functions are predetermined and static.

Paragraph 0042 of the specification explains what happens when a heat command is sent by the remote control unit to the processor 36. Paragraph 0043 explains what happens when a status command is sent by the remote control unit 12 to the processor 36. Each of these functions is selected by pushing a certain dedicated button on the remote control unit. (See Figures 4A and 4B.)

The present invention, on the other hand, is directed to a remote control system for controlling operation of a spa, with a remote control unit that has a microprocessor, memory, mode button, and a plurality of control buttons that operate in conjunction with a main control at the spa, which controls and senses a multiplicity of functions of the spa, "the main control sending signals to the remote control for displaying information on the display of the remote control and determining the function of the plurality of control buttons on the remote control, as required by the information sent to the display of the remote control."

This claimed relationship between the main control and the remote control of the present invention is not taught or contemplated by *Crumb*. *Crumb* is, in fact, fixed on the functions

about which his main control and his master-control and remote control communicate. The remote control system of the present invention, on the other hand, has the highly desirable characteristic of being able to change the functionality of the relationship between the remote control and the main control by simply changing the functionality of the main control, i.e., the programming. Thus, the presently claimed invention can add or remove functions from the system by simply changing the function menu at the main control. The main control defines the function of the control buttons of the remote control simply on the basis of the information that the main control sends to the remote control. As the main control is upgraded by adding the new features, the new features are automatically part of the remote control.

This relationship is clearly not taught or anticipated by *Crumb*. Applicant respectfully requests that this rejection be withdrawn.

In light of the above amendment and remarks, Applicant believes that all the claims are in condition for allowance and respectfully requests that all the claims be allowed and this case passed to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. **EV 456685775 US** addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 1, 2005.

By: Marc Fregoso

Marc Fregoso
Signature

Dated: March 1, 2005

Respectfully submitted,

SNELL & WILMER L.L.P.

Albin H. Gess
Registration No. 25,726
1920 Main Street, Suite 1200
Irvine, California 92614-7230
Telephone: (949) 253-2720